

# CaseFile

SAMPLE · FICTIONAL CASE · SYNTHETIC DATA

## Court Bundle

*Re T (A Child)*

<b>Court</b>	In the Family Court sitting at Bristol
<b>Case number</b>	BS24P00123
<b>Applicant</b>	Daniel Harper
<b>Respondent</b>	Sarah Whitcombe
<b>Child</b>	Thomas Harper (born 2018)
<b>Hearing</b>	Contested Final Hearing — 12 September 2024

Prepared by CaseFile · 6 September 2024

Prepared in accordance with Practice Direction 27A. This is an illustrative sample created from invented facts to show the format and quality of a CaseFile bundle. It is not legal advice.

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SECTION A

## Preliminary documents

## Case summary

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A1

This is a private law application under section 8 of the Children Act 1989 concerning Thomas Harper, aged 6. The applicant is the child's father, Daniel Harper; the respondent is the child's mother, Sarah Whitcombe. The parties separated in June 2022, since when Thomas has lived with the respondent.

Following separation the parties agreed alternate-weekend contact, which operated by agreement for much of 2022 and 2023. Contact reduced to daytime only in November 2023 after a disagreement. The applicant applied for a child arrangements order in January 2024 seeking the restoration of alternate weekends including overnight staying contact.

The respondent has raised a concern about the applicant's alcohol use, which the applicant denies and has offered to address by testing. Cafcass safeguarding checks in January 2024 identified no police or local-authority involvement. A section 7 report filed in June 2024 recommends a graduated increase in contact. The matter is listed for a contested final hearing on 12 September 2024.

## Statement of issues

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A2

The issues for the court to determine are:

1. Whether Thomas should spend alternate weekends (including overnights) with the applicant, as sought, or daytime-only contact, as proposed by the respondent.
2. Whether the respondent's concern about the applicant's alcohol use is made out and, if so, what (if any) safeguards are required.
3. The arrangements for school holidays and special days.
4. The arrangements for handovers and for communication between the parties about Thomas.

## Chronology

A3

Each entry below is referenced to its source. Entries marked ● were surfaced by CaseFile from the underlying evidence (messages, statements, photographs and bank records) rather than supplied as separate documents.

DATE	EVENT	SOURCE
12 May 2018	Thomas born; parties living together in Bristol.	Birth certificate
3 Sep 2021	Thomas starts at Redland Primary School.	School record
18 Jun 2022	Parties separate; Thomas remains living with the respondent.	Agreed
Jun–Dec 2022	Applicant pays £420/month towards Thomas's costs; payments evidenced.●	Bank statements
9 Oct 2022	Parties agree alternate-weekend contact by message.	WhatsApp, 9 Oct
14 Jan 2023	Respondent cancels contact at short notice citing illness.	WhatsApp, 14 Jan
2 Mar 2023	Applicant attends Thomas's parents' evening; teacher confirms attendance.●	Email from school
21 Apr 2023	Dispute over a planned holiday; messages show agreement later reached.	WhatsApp, 19–22 Apr
8 Jul 2023	Respondent raises concern about the applicant's alcohol use.	Text message, 8 Jul
8 Jul 2023	Applicant denies the allegation; offers to provide testing.	Text message, 8 Jul
2 Sep 2023	Thomas spends a week's summer holiday with the applicant without incident.●	Photographs (metadata 2–9 Sep)
17 Nov 2023	Contact reduces to daytime-only after a disagreement.	WhatsApp, 17 Nov
4 Jan 2024	Applicant files C100 application for a child arrangements order.	Application (sealed)
29 Jan 2024	Cafcass safeguarding checks completed; no police or local-authority flags.	Cafcass letter
14 Feb 2024	First Hearing (FHDRA); directions made for statements and a s.7 report.	Order, 14 Feb
3 Mar 2024	Applicant files first statement.	Statement (Section C)
28 Mar 2024	Respondent files statement in response.	Statement (Section C)
26 Jun 2024	Section 7 report filed; recommends a graduated increase in contact.	s.7 report
12 Sep 2024	Final hearing listed.	Listing notice

## Issues and supporting material

The parties have identified the issues at A2. For each issue, the material below has been surfaced from the evidence as potentially relevant and cited to its source. This is a neutral preparation aid to help the reader locate material in the bundle. It is not a submission, not legal argument, and not an assessment of the merits or of whether any issue is made out — those are matters for the parties and the court. Items marked • were surfaced by CaseFile from the underlying evidence rather than supplied as separate documents.

### Overnight staying contact

- Alternate-weekend contact, including overnights, operated by agreement from October 2022 until November 2023.

Chronology A3 · WhatsApp 9 Oct 2022

- A week's summer holiday with the applicant in September 2023 passed without reported incident.

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Chronology A3 · photograph metadata

- The respondent states she does not oppose overnights in principle if safeguards are in place.

Respondent's statement C2, paragraph 3

- The section 7 report recommends a graduated increase in contact.

Chronology A3 · s.7 report, 26 Jun 2024

### The alcohol concern

- The concern was first raised, and denied, by message on 8 July 2023; the applicant offered testing.

Correspondence E1 · text messages, 8 Jul 2023

- Cafcass safeguarding checks identified no police or local-authority record for either parent.

Cafcass letter D1

- The applicant repeats the offer of testing in his statement.

Applicant's statement C1, paragraph 5

### School holidays and special days

- An April 2023 holiday dispute was resolved by agreement between the parties. •

Chronology A3 · WhatsApp 19–22 Apr 2023

- The September 2023 summer holiday took place as arranged.

Chronology A3

### Handovers and communication

- Contact was cancelled at short notice in January 2023.

Chronology A3 · WhatsApp 14 Jan 2023

- Contact reduced to daytime only in November 2023 following a disagreement.

Chronology A3 · WhatsApp 17 Nov 2023

- Selected messages between the parties are reproduced at E1.

Correspondence E1

# B

## SECTION B

### Applications and orders

## Application for a child arrangements order (Form C100)

B1

Filed 4 January 2024 · Sealed by the court

**Applicant:** Daniel Harper (father)

**Respondent:** Sarah Whitcombe (mother)

**Child:** Thomas Harper (born 2018)

**Order(s) applied for:** a child arrangements order specifying with whom the child is to spend time, namely alternate weekends with overnight staying contact, half of school holidays and a share of special days.

**Has mediation been attended?** A MIAM was attended on 18 December 2023; the mediator certified the matter as suitable to proceed.

**Are there any safeguarding concerns?** The applicant is not aware of any matter that would put Thomas at risk in his care. The respondent has raised a concern about alcohol, which the applicant denies.

*[Extract of the sealed application. The full form is reproduced in the bundle behind this summary.]*

## Order of 14 February 2024 (directions)

B2

In the Family Court sitting at Bristol · Case No BS24P00123

**Before** District Judge (sitting in private) at the First Hearing Dispute Resolution Appointment.

**It is ordered that:**

1. The applicant shall file and serve a statement limited to 6 pages by 4pm on 3 March 2024.
2. The respondent shall file and serve a statement in response, similarly limited, by 4pm on 28 March 2024.
3. Cafcass shall prepare a report under section 7 of the Children Act 1989 addressing the arrangements for Thomas, to be filed by 26 June 2024.
4. The matter be listed for a contested final hearing with a time estimate of one day on the first open date after 1 September 2024.
5. In the interim, Thomas shall spend time with the applicant each Saturday from 10am to 6pm.

# C

SECTION C

**Statements**

## First statement of the applicant

C1

Daniel Harper · made 3 March 2024

1. I am the applicant and the father of Thomas. I make this statement in support of my application for a child arrangements order. The facts are within my own knowledge and are true.
2. Thomas and I have always been close. After the separation we agreed that he would live with his mother and spend alternate weekends with me. That arrangement worked well for both of us and, most importantly, for Thomas, for more than a year.
3. During that time Thomas stayed with me overnight without any difficulty. We have a settled routine: I take him to football on Saturday mornings, and he has his own room at my home. The summer holiday we spent together in September 2023 passed happily, as the photographs in the bundle show.
4. In November 2023, following a disagreement between his mother and me about arrangements, contact was reduced to daytime only. Nothing happened during my time with Thomas to justify that reduction.
5. I understand that his mother has raised a concern about my drinking. I do not accept that concern. I drink only socially and never when caring for Thomas. I have offered to undergo testing to put the matter beyond doubt, and I repeat that offer.
6. I have read the section 7 report and I agree with its recommendation that contact should increase in stages. I ask the court to make the order I have applied for.

*I believe that the facts stated in this statement are true.*

Signed: Daniel Harper · Dated: 3 March 2024

## Statement of the respondent

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C2

Sarah Whitcombe · made 28 March 2024

1. I am the respondent and Thomas's mother. Thomas has lived with me since the separation and I am his primary carer.
2. I do not oppose Thomas spending time with his father. My concern is about overnight contact. On one occasion in 2023 the applicant collected Thomas having, in my view, been drinking, and I was worried for Thomas's safety.
3. I would prefer that contact remain in the daytime until I can be reassured. I am willing to consider overnights if the court thinks that appropriate and if there are safeguards in place.
4. I want what is best for Thomas and I will follow whatever the court decides.

*I believe that the facts stated in this statement are true.*

Signed: Sarah Whitcombe · Dated: 28 March 2024

# D

## SECTION D

### Reports and safeguarding

## Cafcass safeguarding letter

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D1

Cafcass · 29 January 2024

Following the application, Cafcass has carried out safeguarding checks with the police and the local authority in respect of both parents.

The checks did not identify any police record or local-authority involvement in respect of either parent that would indicate a risk to Thomas.

We spoke to both parents by telephone. The applicant seeks a return to alternate-weekend staying contact. The respondent supports continued contact but has raised a concern regarding the applicant's alcohol use, which the applicant denies and has offered to address through testing.

We recommend that the court consider directing a report under section 7 of the Children Act 1989 to address the arrangements for Thomas and the concern raised. We have identified no safeguarding reason why contact should not continue in the meantime.

# E

## SECTION E

### Correspondence

## Selected correspondence between the parties

E1

*The following items have been selected as relevant from a larger volume of messages and emails between the parties. Irrelevant and duplicative material has been excluded.*

WHATSAPP · 9 OCTOBER 2022

**Applicant:** "Happy for the usual alternate weekends — I'll have him Fri to Sun. Works for football too."

**Respondent:** "Yes that's fine. I'll pack his kit."

EMAIL FROM REDLAND PRIMARY SCHOOL · 2 MARCH 2023

"Thank you both for attending parents' evening this afternoon. It was lovely to see Thomas's dad there too. Thomas is doing well and is a happy member of the class."

TEXT MESSAGES · 8 JULY 2023

**Respondent:** "I'm worried you'd been drinking at pick-up."

**Applicant:** "I hadn't. I'd never drive or have Thomas after drinking. Happy to do a test if that helps."